

NICHOLAS A. TRUTANICH  
United States Attorney  
District of Nevada  
Nevada Bar Number 13644  
JAMES A. BLUM  
Assistant United States Attorney  
501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101  
(702) 388-6336  
james.blum@usdoj.gov  
Attorneys for the United States

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MARIA TRIANA-GOMEZ, et al.,  
Plaintiffs,  
v.  
UNITED STATES OF AMERICA,  
Defendant.

2:20-CV-83-RFB-NJK

**United States of America's Unopposed  
Motion to Extend the Deadline for  
an Answer or Pre-Answer  
Motion to Dismiss**

**(First Request)**

This is the First Unopposed Motion to Extend the Deadline for an Answer or Pre-Answer Motion to Dismiss. Defendant United States of America, with the consent of Plaintiffs, respectfully requests that this Court extend by thirty days Defendant's deadline to file an answer or pre-answer motion to dismiss. This Motion is made pursuant to Local Rule LR IA 6-1 and Fed. R. Civ. P. 6(b)(1).

The grounds for this Motion are: (1) Plaintiffs have initiated a civil action against Defendant for damages, attorney's fees, and costs; (2) the parties are currently engaged in settlement negotiations; (3) the parties agree that a thirty-day extension of Defendant's deadline to file an answer or pre-answer motion to dismiss will facilitate ongoing settlement negotiations; and (4) the parties agree that any settlement would negate the need for litigation and, as a result, save the parties and this Court substantial time and resources.

/ / /

/ / /

1 Defendant's current deadline to file an answer or pre-answer motion to dismiss is  
2 April 27, 2020, and the new deadline would be May 27, 2020.

3 DATED this 30th day of March 2020.

4 Respectfully submitted,

5 NICHOLAS A. TRUTANICH  
6 United States Attorney

7 /s/ James A. Blum  
8 JAMES A. BLUM  
9 Assistant United States Attorney

10 **MEMORANDUM OF POINTS AND AUTHORITIES**

11 On January 13, 2020, Plaintiffs filed a civil action against Defendant, seeking  
12 damages, attorney's fees, and costs. Complaint ECF No. 1. The service date of the  
13 Complaint was February 25, 2020. Pursuant to Fed. R. Civ. P. 12(a)(2), Defendant, as a  
14 government entity, had sixty days to serve its answer or pre-answer motion to dismiss. The  
15 sixtieth day from the date of service falls on April 25, 2020, which is a Saturday;  
16 accordingly, Defendant's current deadline to file an answer or pre-answer motion to  
17 dismiss is April 27, 2020. *See* Fed. R. Civ. P. 6(a)(1).

18 The parties are currently engaged in settlement negotiations. Defendant submits that  
19 good cause exists for this Court to extend by thirty days Defendant's deadline to file an  
20 answer or pre-answer motion to dismiss because (1) the parties believe that a thirty-day  
21 extension will allow them to conclude their settlement negotiations; and (2) allowing the  
22 parties to attempt to settle this matter without litigation stands to save the parties and this  
23 Court substantial time and resources. Counsel for Defendant (Assistant United States  
24 Attorney James A. Blum) and counsel for Plaintiffs (J. Taylor Oblad, on behalf of Tingey  
25 & Tingey Law Firm) have discussed this matter, and the parties agree to the proposed  
26 extension of time for Defendant to file an answer or pre-answer motion to dismiss.

27 This Motion is not submitted solely for the purpose of delay or for any other  
28 improper purpose.

1 WHEREFORE, Defendant respectfully requests that this Motion be granted and  
2 that Defendant's deadline to file an answer or pre-answer motion to dismiss be extended by  
3 thirty days, to and including May 27, 2020.

4 DATED this 30th day of March 2020.

5 Respectfully submitted,

6 NICHOLAS A. TRUTANICH  
7 United States Attorney

8 /s/ James A. Blum  
9 JAMES A. BLUM  
Assistant United States Attorney

10  
11 IT IS SO ORDERED:

12  
13   
14 United States Magistrate Judge

15 DATED: March 31, 2020  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28